

**No. 22714**

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**AUSTRIA  
and  
UNION OF SOVIET SOCIALIST REPUBLICS**

**Agreement on the reciprocal protection of copyright. Signed  
at Vienna on 16 December 1981**

*Authentic texts: German and Russian.*

*Registered by Austria on 17 February 1984.*

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**AUTRICHE  
et  
UNION DES RÉPUBLIQUE SOCIALISTES  
SOVIÉTIQUES**

**Accord relatif à la protection réciproque du droit d'auteur.  
Signé à Vienne le 16 décembre 1981**

*Textes authentiques : allemand et russe.*

*Enregistré par l'Autriche le 17 février 1984.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE REPUBLIC OF AUSTRIA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE RECIPROCAL PROTECTION OF COPYRIGHT

The Federal President of the Republic of Austria and the Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics,

Determined to implement in their entirety the provisions of the Final Act of the Conference on Security and Co-operation in Europe, signed at Helsinki on 1 August 1975,<sup>2</sup>

Convinced that cultural co-operation and cultural exchange promote better understanding between peoples and help to strengthen relations between States,

Mindful of the provisions of the Agreement on Cultural and Scientific Co-operation between the Union of Soviet Socialist Republics and the Republic of Austria, dated 22 March 1968,<sup>3</sup> in particular its article I,

Endeavouring to expand further the co-operation between them in the exchange of cultural values through the use of literary, scientific and artistic works,

Desiring to regulate the reciprocal protection of copyright by measures supplementary to the Universal Copyright Convention of 6 September 1952,<sup>4</sup> to which both of the Contracting Parties are signatories,

Have decided to conclude this Agreement and, to that end, have appointed as their plenipotentiaries:

The Federal President of the Republic of Austria: Gerald Hinteregger, General Secretary for Foreign Affairs;

The Presidium of the Supreme Soviet of the Union of Soviet Socialist Republics: Boris Dmitrievich Pankin, Chairman of the Governing Board of the All-Union Copyright Agency,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

*Article 1.* Each Contracting Party:

- (a) Shall encourage the publication and other use in its territory of literary, scientific and artistic works created by citizens of the other Contracting Party;
- (b) Shall encourage the inclusion of dramatic, musical/dramatic, musical and choreographic works created by citizens of the other Contracting Party in the repertoires of its own country's theatres, musical ensembles and soloists.

*Article 2.* Each Contracting Party shall apply the Universal Copyright Convention of 6 September 1952 also to works or rights to works of citizens of the other Contracting Party if the said works were created before 27 May 1973 but were not

<sup>1</sup> Came into force on 1 October 1983, i.e., the first day of the third month following the exchange of the instruments of ratification, which took place at Moscow on 25 July 1983, in accordance with article 12.

<sup>2</sup> *International Legal Material*, vol. 14 (1975), p. 1292 (American Society of International Law).

<sup>3</sup> United Nations, *Treaty Series*, vol. 715, p. 159.

<sup>4</sup> *Ibid.*, vol. 216, p. 132.

published before that date either in the territory of one of the Contracting Parties or elsewhere. If, however, before the entry into force of this Agreement, such works have been published in the territory of the other Contracting Party as unprotected works, they shall remain unprotected in that territory after the entry into force of this Agreement. In this connection the concept of publication shall be interpreted in the sense of article VI of the Universal Copyright Convention of 6 September 1952.

*Article 3.* The Contracting Parties agree that the protection accorded under the Universal Copyright Convention of 6 September 1952 or under this Agreement shall also extend to personal copyright.

*Article 4.* This Agreement shall apply to the use after its entry into force of those works referred to in article 2 in respect of which the time-limits for copyright protection have not expired.

*Article 5.* All payments and settlements which arise out of the application of the Universal Copyright Convention of 6 September 1952 or the application of article 2 of this Agreement shall be made in freely convertible currency and in accordance with the currency legislation in force in the territory of each Contracting Party at the time; however, if the person entitled thereto so desires, payments and settlements may be made in the national currency of the Contracting Party which makes the payment.

*Article 6.* Each Contracting Party shall be entitled to specify organizations, hereinafter referred to as "organizations", which — without prejudice to the permissibility of direct negotiations with the copyright proprietor or his legal successor if he is the owner of the right in question — are to act as intermediaries in the conclusion of contracts relating to the granting or acquisition of rights to works which are protected under the Universal Copyright Convention of 6 September 1952 or under article 2 of this Agreement, to collect compensation for the use of the works and to effect reciprocal settlements.

In so far as the said organizations, under the law of the Contracting Party or by reason of an assumed obligation, are required to safeguard personal copyright, they shall take special care to do so, in particular where the said law permits the use of works without the author's consent and without the payment of compensation.

*Article 7.* The organizations of the Contracting Parties shall be required to provide each other with:

- (a) Information concerning those works of citizens of each Contracting Party which are protected under the Universal Copyright Convention of 6 September 1952 or under article 2 of this Agreement and concerning the owners of the rights to such works;
- (b) Other information and materials necessary for the practical application of the Universal Copyright Convention of 6 September 1952 or of this Agreement.

The organizations of the Contracting Parties shall arrange between them the time-limits for the settlement and shall determine the amount of their expenses.

*Article 8.* The Contracting Parties or the organizations shall inform each other concerning such laws and other regulations of their country as are necessary for the practical application of the Universal Copyright Convention of 6 September 1952 or of this Agreement.

*Article 9.* The creation, content and extinction of copyright shall be determined in accordance with the law of the State in which a copyright is used or violated.

*Article 10.* Meetings between the competent organizations shall be held at regular intervals, to be agreed upon between them, in order to discuss matters relating to the practical application of this Agreement.

*Article 11.* This Agreement shall not affect rights and obligations of the Contracting Parties which arise out of other international treaties, in particular those which arise out of the Universal Copyright Convention of 6 September 1952.

*Article 12.* This Agreement is subject to ratification. The instruments of ratification shall be exchanged at Moscow as soon as possible.

This Agreement shall enter into force on the first day of the third month following the exchange of the instruments of ratification.

*Article 13.* This Agreement may be denounced by either Contracting Party at any time in writing through the diplomatic channel. The denunciation shall take effect six months after receipt of notification thereof.

IN WITNESS WHEREOF the plenipotentiaries of the two Contracting Parties have signed this Agreement and have thereto affixed their seals.

DONE at Vienna on 16 December 1981, in duplicate in the German and Russian languages, both texts being equally authentic.

For the Federal President of the Republic of Austria:  
HINTEREGGER

For the Presidium of the Supreme Soviet of the Union  
of Soviet Socialist Republics:  
B. PANKIN

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